

**OCT 01 2007**

**CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS**

**NOT FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

PERLA ICELA CUEVAS LUGO,

Defendant - Appellant.

No. 06-30485

D.C. No. CR-05-00175-SEH

MEMORANDUM<sup>\*</sup>

Appeal from the United States District Court  
for the District of Montana  
Sam E. Haddon, District Judge, Presiding

Submitted September 24, 2007<sup>\*\*</sup>

Before: CANBY, TASHIMA, and RAWLINSON, Circuit Judges.

Perla Icela Cuevas Lugo appeals from the 210-month sentence imposed following her guilty-plea conviction for possession with the intent to distribute over 500 grams of methamphetamine in violation of 21 U.S.C. § 841(a)(1) and

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<sup>\*</sup> This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

18 U.S.C. § 2. We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Appellant's contention that the district court improperly considered the Sentencing Guidelines range to be the presumptive sentence is belied by the record.

Appellant contends that her sentence is unreasonable because the district court did not adequately consider the factors listed in 18 U.S.C. § 3553(a). We have reviewed the record and conclude that the district court adequately addressed the statutory factors. *See United States v. Mix*, 457 F.3d 906, 912-13 (9th Cir. 2006). We conclude that appellant's sentence is not unreasonable.

We decline to reach appellant's claim of ineffective assistance of counsel on direct appeal. *See United States v. Ross*, 206 F.3d 896, 900 (9th Cir. 2000)

**AFFIRMED.**